

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kil-soo JUNG et al.

Application No. 10/796,284

Group Art Unit: 2159

Confirmation No. 9369

Filed: March 10, 2004

Examiner: Miranda Le

For: METHOD OF REPRODUCING AN INFORMATION STORAGE MEDIUM HAVING DATA STRUCTURE FOR BEING REPRODUCED ADAPTIVELY ACCORDING TO PLAYER STARTUP INFORMATION

REQUEST FOR CORRECTED NOTICE OF ALLOWABILITY

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Allowance and the Notice of Allowability of June 26, 2009. The issue fee and the publication fee have not yet been paid.

Request for Acknowledgement of Claim for Foreign Priority and Receipt of Certified Copies of Priority Documents

The Utility Patent Application Transmittal and page 1 of the specification filed on April 10, 2004, and the declaration of the inventors filed on July 22, 2004, claim foreign priority benefits under 35 USC 119(a)-(d) of Korean Application Nos. 2003-16015, 2003-58889, 2003-61575, and 2003-61576. Certified copies of these four Korean priority applications were filed on December 28, 2006. However, the Examiner did not acknowledge the claim for foreign priority and receipt of the certified copies in item 3 on the Notice of Allowability of June 26, 2009, or in item 12 on the Office Action Summary (page 1) of any of the Office Actions that have been issued in this application.

Accordingly, it is respectfully requested that the Examiner issue a corrected Notice of Allowability acknowledging the claim for priority and receipt of the certified copies in item 3.

Errors in the Notice of Allowability

The Examiner states as follows on page 2 of the Notice of Allowability of June 26, 2009:

This communication is responsive to Amendment filed 04/06/09.

As a result of the amendment, claims 1, 3-15, 18-21, 26-28 remain pending.

The rejection of claims 26-28 under 35 U.S.C. §112 second paragraph has been withdrawn in view of the amendment.

The rejection of claims 1, 14, 18 under 35 U.S.C. §101 has been withdrawn in view of the amendment.

However, claims 26-28 were rejected under 35 USC 112, first paragraph, not 35 USC 112, second paragraph, as indicated by the Examiner. Furthermore, claims 26-28 were not amended in response to this rejection in the Amendment of April 6, 2009, as apparently implied by the Examiner. Rather, the applicants traversed this rejection with the arguments on pages 9 and 10 of the Amendment of April 6, 2009.

Furthermore, claims 1, 3-15, 18-23, and 26-28 were rejected under 35 USC 101, not claims 1, 14, and 18 as indicated by the Examiner, although the rejection was based on alleged deficiencies in independent claims 1, 14, and 18. Furthermore, claims 1, 14, and 18 were not amended in the Amendment of April 6, 2009, in response to this rejection as apparently implied by the Examiner. Rather, the applicants traversed this rejection with the arguments on pages 10-13 of the Amendment of April 6, 2009.

Accordingly, it is respectfully requested that the Examiner issue a corrected Notice of Allowability correcting the errors discussed above.

Errors in the Examiner's Amendment

The Notice of Allowability includes an Examiner's Amendment that contains the following errors.

In the Examiner's Amendment, on page 2 of the Notice of Allowability, the Examiner states as follows (emphasis added):

- Cancel claims 3, 8, 11-12

In the Examiner's Amendment, on page 8 of the Notice of Allowability, the Examiner states as follows:

- Cancel claims 20, 23

However, the undersigned attorney, Randall S. Svhila, authorized the Examiner to cancel claims 3, 8-12, 20, and 23 in an e-mail the attorney sent to the Examiner on May 13, 2009. It is noted that the Examiner correctly states "[c]laims 3, 8-12, 20, 23 are cancelled" on page 11 of the Notice of Allowability under the heading "Reasons for Allowance."

The Examiner's Amendment, on pages 2-10 of the Notice of Allowability, includes the text of amended claims 1, 4-7, 13-15, 18, 21, and 22 showing the added text with underlining. However, amended claims 4, 7, 13, 15, 21, and 22 do not show the deleted text with strikethrough. The Examiner has simply deleted the deleted text without marking it with strikethrough, such that the only way to determine what text was deleted from claims 4, 7, 13, 15, 21, and 22 in the Examiner's Amendment is to compare amended claims 4, 7, 13, 15, 21, and 22 in the Examiner's Amendment with claims 4, 7, 13, 15, 21, and 22 as they appear in the Amendment of April 6, 2009. Furthermore, amended claims 1, 4-7, 13-15, 18, 21, and 22 in the Examiner's Amendment do not include the claim numbers, although each claim is preceded by the statement "Claim [n] has been amended as:"

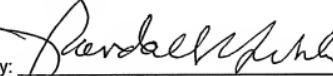
On May 13, 2009, the undersigned attorney e-mailed the Examiner a Word document containing a complete listing of the claims showing the added text with underlining and the deleted text with strikethrough, and including the claim numbers and appropriate status identifiers (Currently amended, Canceled, and Previously presented). In the e-mail, the attorney requested that the Examiner copy and paste the claim amendments in the Word document into the Examiner's Amendment, but the Examiner did not comply with this request, at least with respect to the claim numbers, the status identifiers, and the deleted text marked with strikethrough.

Accordingly, it is respectfully requested that the Examiner issue a corrected Notice of Allowability containing a corrected Examiner's Amendment correcting the errors discussed

above. In particular, it is respectfully requested that the Examiner copy and paste the claim amendments in the Word document the attorney mailed to the Examiner on May 13, 2009, into the Examiner's Amendment.

Respectfully submitted,

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